

Table of Contents

Chapter 1: Introduction

Introduction	1
What is the purpose of this document?	1
The Clean Air Act	3
What is the Clean Air Act?	3
What are the National Ambient Air Quality Standards?	5
Tribal Air Programs and TIPs	7
Under what authority can Indian tribes adopt Clean Air Act programs?	7
How does EPA determine whether an Indian tribe is eligible under the CAA to be treated in the same manner as a state?	8
" Request for determination of eligibility?	8
What is air quality management?	10
How does a tribe start managing air quality?	11
What is a TIP and how does it fit into a tribal air program?	13
What are the benefits of developing a TIP?	15
How does a tribe build the capability to develop a TIP?	16
What if your tribe chooses not to develop a TIP?	17
Conclusion	18
Endnotes	18

Chapter 2: Characteristics of Implementation Plans

Characteristics of Implementation Plans	21
Implementation Plan Basics	21
What is an Implementation Plan?	21
How do TIPs compare to SIPs?	22
" TIPs are optional	22
" TIPs are modular	22
" TIPs have flexible submission schedules	23
" TIPs allow for joint tribal and EPA management	23

Where are the Statutory and Regulatory Requirements for a TIP?	24
Developing a TIP	25
What technical information do you need to develop a TIP?	25
" Emissions Inventory	25
" Air Quality Monitoring	25
What are the potential elements in a TIP?	26
" Maintenance Strategy (for areas that attain the NAAQS or are unclassifiable)	26
" Attainment Strategy (for areas that are in nonattainment for the NAAQS)	27
" Source Preconstruction Permit Programs	29
" Regional Haze Plans	29
What elements must accompany a TIP?	30
Conclusion	30
Endnotes	31

Chapter 3: Goal Setting & Data Gathering for a TIP

Goal Setting & Data Gathering for a TIP	33
Air Quality Designations	34
How is air quality classified in relationship to the NAAQS?	34
" Attainment Areas	35
" Nonattainment Areas	35
How are air quality areas determined?	36
Air Quality Goals	38
What should be considered in setting air quality goals for your TIP?	38
What are some typical initial air quality goals?	39
How can nonattainment areas be redesignated as attainment areas?	40
What if you want to set standards more stringent than the NAAQS?	41
Developing An Emissions Inventory	41
What is an emissions inventory?	41
How can an emissions inventory be useful to your tribe?	41
Are there any regulations governing the tracking and reporting emissions?	42
What types of emissions inventories are there?	42
What is an Inventory Preparation Plan?	43
How does your tribe start creating an emissions inventory?	44

Developing An Air Quality Monitoring Program	45
What is an air quality monitoring program? Does your Tribe need one?	45
What should a monitoring program achieve?	46
How does the tribe report and use the data?	47
How does your tribe start an air quality monitoring program?	48
Conclusion	48
Endnotes	49

Chapter 4: Potential TIP Program Elements

Potential TIP Program Elements	53
Maintenance Strategies	54
What is a maintenance strategy?	54
What are the basic steps for developing a maintenance strategy?	54
" Establish enforceable emission limits	54
" Write enforceable regulations	55
" Prevent downwind NAAQS violations	56
" Create an appropriate compliance schedule	56
What can be done about new sources of emissions?	56
How does your tribe start creating a maintenance strategy?	57
Attainment Strategies	58
What is an attainment strategy?	58
What are the basic steps for developing an attainment strategy?	58
" Ascertain the effect of emissions from sources outside the TIP area ..	59
" Determine the necessary emission reductions	60
" Identify appropriate control measures	61
" Write enforceable regulations	64
" Prevent downwind NAAQS violations	64
" Create an appropriate schedule for emission reductions	65
" Develop appropriate contingency measures	65
What can be done about new sources of emissions?	66
How does your tribe start creating an attainment strategy?	66
Source Preconstruction Permits	67
What is New Source Review?	67
What is the nonattainment NSR program?	69
What is the PSD permitting program?	70
What is minor NSR?	74
How does your tribe start creating a preconstruction permit program?	74

Regional Air Quality	75
Why is regional air quality important?	75
What is haze?	76
What has the EPA done to improve and protect visibility?	77
How can your tribe improve and protect visibility?	77
" Regional Planning Organizations	78
" Regional Haze Plans	79
An example of collaboration to address regional haze	79
Can EPA intervene in regional air quality problems?	80
Conclusion	81
Endnotes	81

Chapter 5: Compliance & Enforcement for a TIP

Compliance & Enforcement for a TIP	85
Measuring & Reporting Emissions	86
Which emission measurement techniques must the tribe require?	86
" Indirect measurement	86
" Periodic direct measurement	87
" Continuous direct measurement	87
How can visible emissions (opacity) be monitored?	88
Which procedures for reporting and record-keeping must the tribe require?	88
How does a tribe start measuring emissions?	89
How does a tribe include measuring and reporting in your TIP?	89
Developing an Enforcement Program	90
Why is an enforcement program needed?	90
What are the elements of an enforcement program?	90
How is tribal enforcement authority established for a TIP?	91
What enforcement actions must your tribe be prepared to take?	91
Are there any occasions that warrant exceptions to enforcement actions?	93
Must your tribe possess criminal enforcement authority?	94
Does EPA have enforcement power on reservations?	94
How does a tribe start developing an enforcement program?	95
Conclusion	95
Endnotes	95

Chapter 6: TIP Adoption & Submission

TIP Adoption & Submission	99
Adopting Your TIP	
What is public outreach and how does your tribe prepare an outreach strategy?	99
What kind of information can your tribe provide to interested parties to enhance their ability to participate in the TIP development process?	102
Whom should you try to reach with the outreach strategy?	102
How can your tribe effectively communicate with all interested parties?	103
What are the minimum requirements for notice and public hearings?	104
Are there other consultation requirements?	106
How does your tribal government formally adopt the TIP?	106
Submitting Your TIP to EPA for Approval	
What needs to be submitted to EPA along with the TIP?	107
What does EPA do after your tribe has submitted your TIP?	109
Revising Your Approved TIP	
Why would your TIP need revising once it has been approved?	109
Conclusion	110
Endnotes	110

Appendices

Appendix A: Tribal Contacts at EPA	A-1
Appendix B: Informational Resources	B-1
Appendix C: Education and Training Resources	C-1
Appendix D: Information on Criteria Pollutants	D-1
Appendix E: A Guide to Regional Air Quality Planning Organizations	E-1
Appendix F: Emissions Inventories	F-1
Appendix G: Air Quality Monitoring	G-1
Appendix H: TIP Enforceability Checklist	H-1
Appendix I: Procedures for Reclassification to Class I	I-1
Appendix J: Regulation Development	J-1
Appendix K: TIP Completeness Checklist	K-1
Appendix L: Review of Authorities Available for Tribal Air Program Financial Assistance Grants	L-1
Acronym List	Acronym List -1
Glossary	Glossary-1